

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.21 OF 2005
IN
APPEAL FROM ORDER NO.996 OF 1993

Usha Chandrakant Sanghavi Applicant.

Versus.

Falguni alias Serena Stanley Pereira & anr...Respondents

Ms.Rajani Iyer i/by M/s.Mehta & Girdharlal for the
Applicants.

None for the Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 17th January, 2005.

P.C.:

1. This application is filed for bringing on record the legal representatives of the deceased Respondent No.2. Though there is a delay in making the Application, it is brought to my notice that in the main suit pending in the City Civil Court, a Chamber Summons was taken out for bringing on record the legal representatives of the deceased Respondent No.2 and the said Chamber Summons has been allowed by order dated 25th November 2004. As legal representatives of the deceased Respondent No.2 are already ordered to be brought on record in the main suit, this application deserves to be allowed.

2. Accordingly the Civil Application is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of two weeks.

3. Office is directed to issue notice of the Appeal from Order to the legal representatives of the Respondent No.2 returnable on 28th February 2005. Advocate for the Appellant to serve private notice on the legal representatives of Respondent No.2 and file affidavit of service one week in advance of returnable date.

4. Office is directed to place the Appeal from Order for final hearing as it is on 28th February 2004.

Judge.